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U.S. DISTRICT COURT E.D.N.Y.
★ NOV 21 2011 ★
BROOKLYN OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HONG MAI,

Plaintiff,

-against-

STATE OF NEW YORK,
DEPARTMENT OF HEALTH, et al.
Defendant.

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X

11-mc-00701 (ARR)(CLP)

NOT FOR
PRINT OR ELECTRONIC
PUBLICATION

ORDER

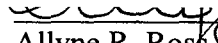
ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated October 12, 2011 from the Honorable Cheryl L. Pollak, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at *6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at *1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, plaintiff's motion for leave to file the Proposed Complaint is denied as the court lacks subject matter jurisdiction over her claim.

SO ORDERED.

/S/



Allyne R. Ross
United States District Judge

Dated: November 18, 2011
Brooklyn, New York

SERVICE LIST:

Plaintiff

Hong Mai

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Far Rockaway, NY 11691_